

REMARKS

Claims 1-7 and 9-20 are pending in this application.

Claims 1-7 and 9-20 have been rejected.

No claims have been amended.

Claims 1-7 and 9-20 remain pending in the application

Reconsideration of Claims 1-7 and 9-20 is respectfully requested.

I. 35 U.S.C. § 103 – Obviousness

In the July 6, 2006, Office Action, the Examiner rejected Claims 1-7 and 9-20 under 35 U.S.C. § 103(a). Claims 1-5, 9, 10, 12-14 and 18 were rejected as unpatentable over United States Patent No. 4,772,885 to *Uehara, et al.* (“Uehara”) in view of United States Patent No. 5,337,068 to *Stewart, et al.* (“Stewart”). Claims 6, 7, 11, 15-17, 19 and 20 were rejected as unpatentable over Uehara in view of Stewart in further view of applicant’s admitted prior art (AAPA). The Applicants respectfully traverse the rejections.

In rejecting independent Claims 1, 13 and 14, the Examiner acknowledged that Uehara fails to teach an illumination system operable to drive three light-emitting diodes to control the intensity of light emitted and thereby change a color temperature and illumination level, in response to an illumination level of the picture to be displayed by the display device. However, the Examiner asserted that Stewart describes such an illumination system, citing column 9, lines 35-50. The Applicants respectfully submit that the Examiner mischaracterizes the teaching of Stewart.

The cited passage in Stewart is reproduced here for ease of reference:

Changes in the duty cycle of the lamps can be used to momentarily highlight or dim the display. As long as the cathode is hot, the starting pulse

can be arbitrarily small in duration, so the screen can be dimmed substantially without limit.

An advantage of the invention over area multiplexed systems is the ability to change the color balance of the display by changing the relative duty cycles of the red, green and blue banks of lamps, or even by replacing the backlight tubes with tubes of another color. Also, correction for intensity and color nonuniformities can be made by individually adjusting the flash duration of each lamp. This may be useful to compensate for individual failed or weak lamps.

The first paragraph describes changing the duty cycle of backlights to highlight or dim a display. However, the passage does not suggest a reason for so doing. At column 12, lines 58-64, Stewart suggests that the display intensity may be increased to flash or highlight important information.

The second paragraph of the passage relied upon by the Examiner describes changing the relative duty cycles of backlights of different colors in order to change the color balance of the display. While no specific reason for so doing is given in the first sentence, the remainder of the paragraph suggests that relative duty cycles might be changed to correct for nonuniformities in intensity or color between individual backlights.

The Applicants respectfully submit that neither the cited passage nor any other part of the Stewart reference teaches changing a color temperature and illumination level of a picture to be displayed by a display device by varying an intensity of light emitted by light-emitting diodes in response to an illumination level of the picture, as recited in independent Claims 1, 13 and 14. As such, the cited references fail to teach or suggest all the limitations of the claims, as required to establish a *prima facie* case of obviousness.

Accordingly, the Applicants respectfully request that the Examiner withdraw the rejection of Claims 1-7 and 9-20 under 35 U.S.C. § 103(a) and that Claims 1-7 and 9-20 be passed to allowance.

II. Conclusion

The Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. The Applicants reserve the right to submit further arguments in support of their above stated position, as well as the right to introduce relevant secondary considerations including long-felt but unresolved needs in the industry, failed attempts by others to invention the invention, and the like, should that become necessary.

SUMMARY


For the reasons given above, the Applicants respectfully request reconsideration and allowance of pending claims and that this application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Applicants respectfully invite the Examiner to contact the undersigned at the telephone number indicated below or at *dvenglarik@munckbutrus.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Munck Butrus Deposit Account No. 50-0208.

Respectfully submitted,

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Date: 9-28-2006


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